



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Jon Sanabria  
Acting Director of Planning

June 16, 2009

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**MODIFICATION TO RECORDED TRACT MAP NO. 45023-(5)  
APPLICANT: LAND DEVELOPMENT CONSULTANTS, INC.  
199 SOUTH LOS ROBLES ROAD, SUITE 250  
PASADENA, CA 91101  
SAND CANYON ZONED DISTRICT  
FIFTH SUPERVISORIAL DISTRICT (3-VOTE)**

On September 17, 2008, the Regional Planning Commission of Los Angeles County ("Planning Commission") denied a Modification to Recorded Tract Map for Tract Map No. 45023-(5). The project consisted of a request to eliminate conditions related to offsite public improvements and dedication of easements, payment in lieu of offsite improvements, and improvements required to Lost Canyon Road and Jakes Way; and add conditions to construct connecting fire access between Jakes Way and existing driveway, and dedicate easements over driveways for public use. The original project approved 752 new attached condominium units on 23 multi-family lots and one open space lot on approximately 46.2 acres; no change in density or lot design was proposed within the modification.

The project was subsequently appealed to your Board of Supervisors by the applicant and since then, the applicant has eliminated portions of the modification request. The project currently only requests to modify the recorded map to add a new private driveway and fire lane and necessary easements, as required by Los Angeles County Departments of Public Works and Fire.

Prior to the scheduled April 28, 2009 Board of Supervisors meeting, County Counsel requested the project to be continued without discussion to June 23, 2009 to allow time for distribution of the original and addendum to the Environmental Impact Report ("EIR"), including Mitigation Monitoring Program ("MMP"), not previously attached and further analysis of the Modification to Recorded Map. The EIR, Addendum, and MMP have been attached.

**IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:**

1. Adopt the Addendum to the Final Environmental Impact Report for Modification to Recorded Tract Map No. 45023-(5).
2. Instruct County Counsel to prepare the necessary findings and conditions to overturn the Planning Commission's denial and approve Modification of Recorded Tract Map No. 45023-(5) as currently proposed.

**PROJECT BACKGROUND**

The Planning Commission conducted public hearings and one public meeting, for the Modification to Recorded Tract Map No. 45023-(5) on January 17, 2007, February 21, 2007, August 20, 2008 (public meeting), and September 17, 2008, and denied the project on September 17, 2008. Following the Planning Commission's action, an appeal was filed with your Board of Supervisors.

The original request for the modification proposed to eliminate a condition to provide the connection of Lost Canyon Road and Jakes Way, which was required of the project to mitigate traffic impacts. Lost Canyon Road is on the Los Angeles County Master Plan of Highways and both Jakes Way and Lost Canyon Road are still intended to be completed. The original project was allowed to record a certain number of units with a private driveway and fire lane as a temporary second means of access. Subsequent map amendments increased the number of units approved on a single means of access with the temporary driveway as a second means. The map ultimately recorded with a nonrefundable payment for the offsite street improvements to Jakes Way, including grading, drainage and flood protection. The proposed temporary driveway, while providing fire access, does not meet the long term regional access needs for circulation and emergency services.

The current request is only to approve the modified map for the new private driveway and fire lane, existing today, which would allow the project to be gated as originally entitled. Los Angeles County Departments of Public Works and Fire do not object to the updated request, so long as it is clear that this temporary private driveway and fire lane does not substitute for the long term regional access provided by the connection of Jakes Way and Lost Canyon Road.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

**Necessary Findings**

The proposed modification to recorded map must meet the following findings within the burden of proof (attached):

1. That there are changes in circumstances which make any or all of the conditions or the design of such a map no longer appropriate or necessary; and

2. That the proposed modifications do not impose any additional burdens on the present fee owner of the property; and
3. That such modifications would not alter any right, title, or interest in the real property; and
4. That the modifications requested result from either physical problems associated with the development of the site or technical difficulties arising which are not under the control of the developer and which make it impossible to comply with certain conditions;
5. That the modifications requested do not result in an increased number of dwelling units or a greater density than the recorded map;
6. That the proposed map and the design and improvements of the proposed subdivision are consistent with applicable general and specific plans; and
7. That the site is physically suitable for the type of proposed density of the development; and
8. That the design of the subdivision or the proposed improvements will not cause substantial environmental damage or serious public health problems, or conflict with public easements.

#### Analysis of Current Modification to Recorded Map Request

Staff has found the proposed project to be consistent with the applicable plans and plan policies, and meets the necessary findings for the proposed Modification to Recorded Map. The new private driveway and fire lane depicted on the map will be used for temporary use, and will not replace the project's access requirements as originally conditioned. Conditions requiring the connection of Jakes Way to Lost Canyon Road are not removed or modified and will continue to apply. Additional units are not proposed, modified, or permitted with the addition of the temporary private driveway and fire lane.

#### **ENVIRONMENTAL DOCUMENTATION**

The current request is to construct add an additional four acres, a fire road adjacent to the project's easterly boundary between Jakes Way on the north and the railroad tracks located adjacent to the southerly boundary of the subject property. A virtually identical alignment for a fire access driveway was evaluated as part of the EIR prepared for the original development and adopted by the Board of Supervisors on November 29, 1994.

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The current fire road request will not generate additional levels of traffic. It will simply make feasible the construction of a gated interior access system for the development. The current project no longer proposes the elimination of necessary mitigation measures adopted at the time of project approval as provided for within the previously adopted EIR.

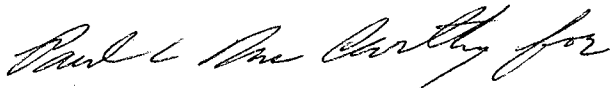
Therefore, the Addendum to the previously approved EIR, adopted on November 29, 1994, which is attached hereto, provides adequate environmental analysis for the project as currently amended.

**IMPACT ON CURRENT SERVICES OR PROJECTS**

Action on the proposed modification to recorded map is not anticipated to have a negative impact on current services.

Respectfully submitted,

DEPARTMENT OF REGIONAL PLANNING  
Jon Sanabria, Acting Director of Planning



Sorin Alexanian, Acting Deputy Director  
Current Planning Division

Attachments: Environmental Impact Report, including Addendum  
Modification to Recorded Map Burden of Proof

SA:ST:ACB

c: Chief Executive Officer  
Acting County Counsel  
Executive Officer, Board of Supervisors  
Assessor  
Director, Department of Public Works  
Acting Director, Department of Regional Planning

**FINDINGS TO SUBSTANTIATE MODIFICATION OF TRACT NO. 45023  
COUNTY OF LOS ANGELES**

1. The proposed modifications will not result in any changes in circumstances that will make any or all of the conditions or the design of such a map no longer appropriate or necessary. The proposed modification consists of the addition of a temporary fire access road. The proposed temporary fire access road satisfies the requirement of the Los Angeles County Fire Department to have temporary access between Jakes Way and Lost Canyon Road and will be removed when Lost Canyon Road is extended.
2. The proposed modification to include the temporary fire access road does not impose any additional burdens on the present fee owner of the property. The owner of the property purchased additional property to the east to build the fire road around the outside of the development to the standards set by the Fire Department.
3. The proposed modifications will not alter any right, title or interest in the real property. The project site is fully built out with 752 existing residential units in 94 buildings on 23 multi-family lots. The modification to include a temporary fire access road is not proposed to change the design or improvements of the project. Additional property was purchased by the owner in order to build the fire access road per the requirement of the Fire Department.
4. The proposed modifications are not the result of either physical problems associated with the development of the site or technical difficulties arising which are not under the control of the development and which make it impossible to comply with certain conditions. The proposed temporary fire access road satisfies the requirement of the Los Angeles County Fire Department to have temporary access between Jakes Way and Lost Canyon Road and will be removed when Lost Canyon Road is extended.
5. The proposed modifications will not result in an increased number of dwelling units or a greater density than the recorded map. The project site is fully built out with 752 existing residential units in 94 buildings on 23 multi-family lots. The proposed modification is to only add a temporary fire access road as required by the Fire Department and. The modification does not propose any increase to the number of dwelling units or increase the project density.

6. The proposed map and the design and improvements of the proposed subdivision are consistent with applicable general and specific plans. The proposed modification to include the temporary access road is included on the amended tentative map and illustrates that no other changes to the design or improvements are proposed. The project site is fully built out with 752 existing residential units in 94 buildings on 23 multi-family lots.
7. The site is physically suitable for the type and proposed density of the development. The project site is fully built out with 752 existing residential units in 94 buildings on 23 multi-family lots. The proposed modification to include the temporary fire access road will not change the project type or density.
8. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The subject property is not located in a Significant Ecological Area and does not contain any stream courses or high value riparian habitat.

The design of the subdivision and the proposed improvements will not cause serious public health problems since sewage disposal, storm drainage, fire protection, and geologic and soils factors are addressed in the conditions of approval for the recorded tract map.

The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and on the modified tract map, provide adequate protection for any such easements.

**ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT FOR  
MODIFICATION TO RECORDED TRACT MAP NO. 45023-(5)**

Tentative Tract Map No. 45023-(5) was approved by the Board of Supervisors on November 29, 1994. On July 14, 2004 the last Unit of Tentative Tract Map No. 45023-(5) was recorded. The Map created 23 multi-family lots and one open space lot on approximately 46.2 acres of land and authorized the development of 752 residential condominium units on the subject property. The subject property is located within the Sand Canyon Zoned District of Los Angeles County directly adjacent to the easterly side of the Antelope Valley (14) Freeway at Jakes Way. All of the 752 authorized residential condominium units have subsequently been constructed on the subject property.

The requested Modification to Recorded Tract Map No. 45023-(5) seeks authorization to add approximately 4 acres of land to the Tract and for authorization to construct an extension to a previously authorized Private Driveway/Fire Lane adjacent to the easterly boundary of the subject Tract between Jakes Way on the north and the easterly entrance to the Tract located approximately 480 feet southerly of Jakes Way. The approximately 4 acres of additional land will accommodate the Private Driveway/Fire Lane which will be paved to a width of 28 feet.

Completion of the missing link of the Private Driveway/Fire Lane will provide through access along the property's entire easterly boundary between the railroad tracks located adjacent to its southerly boundary and Jakes Way located adjacent to its northerly boundary.

Construction of the approximately 480 foot long link, the proposed Private Driveway/Fire Lane, will take place on land previously disturbed during the construction of the condominium units authorized by the Tract Map. Construction of the link will not create additional levels of traffic by providing a temporary second means of emergency access to the already constructed condominiums located within the Tract.

Completion of the remaining link of the Private Driveway/Fire Lane will enable the applicant to obtain clearance from the Los Angeles County Fire Department to install locked gates at each of the three entrances to the interior private driveway system currently existing within the Tract. Two of said entrances intersect with Jakes Way on the northerly boundary of the Tract and one entrance intersects with the proposed Private Driveway/Fire Lane adjacent to the easterly boundary of the subject property.

## **ADDENDUM TO FINAL EIR FOR RECORDED TRACT MAP 45023**

Section 15164 of the California Environmental Quality Act authorizes Lead Agencies to prepare an Addendum to a previously certified Environmental Impact Report if changes or additions to the document are necessary but and none of the conditions described in Section 15162 are present. Staff of the Department of Regional Planning has determined that none of the conditions described in Section 15162 are present. The construction of the proposed Private Driveway/Fire Lane will not constitute a substantial increase in the severity of previously identified impacts. Construction of the project has been completed, no additional density is proposed and construction of the missing link in the previously identified Private Driveway/Fire Lane will not increase existing levels of traffic. No new environmental effects have been identified with regard to the proposed construction of the Private Driveway/Fire Lane. No new information pertaining to the subject property or the environmental impacts of the existing development has been discovered during the preparation of this Addendum.

Therefore, the Addendum to the previously adopted Environmental Impact Report adopted on November 29, 1994, which is attached hereto, provides adequate environmental analysis for the project as currently amended.